BORA LASKIN LAW LIBRARY
3 1761 10084137 8

PROPERTY-INTRODUCTORY MATERIALS

VOLUME 1

Arnold Weinrib

Faculty of Law

University of Toronto

These materials are reproduced solely for the use of students in the Faculty of Law, University of Toronto.

1990-91

1990
v. 1

LAW LIBRARY
AUG 29 1990
FACULTY OF LAW
UNIVERSITY OF TORONTO

FACULTY OF LAW LIBRARY
UNIVERSITY OF TORONTO

PROPERTY-INTRODUCTORY MATERIALS

VOLUME 1

Arnold Weinrib

Faculty of Law

University of Toronto

These materials are reproduced solely for the use of students in the Faculty of Law, University of Toronto.

1990-91

I. WHAT IS PROPERTY

A. Unfair Competition and Free Riding

International News Service v. Associated Press 1

Metropolitan Opera Ass'n v. Wagner-Nicols 10

Victoria Park Racing v. Taylor 17

Institut National des Appellations d'Origine des Vins v. Andres Wines 30

Note 53

B. Property in Statutes

R. v. MacEwen, R. v. Bell 58

R. v. Stewart 61

C. The Taking of Property

Pennsylvania Coal Co. V. Mahon 72

Keystone Bituminous Coal Co. v. Mahon 75

Belfast Corp. v. O.D. Cars Ltd. 76

Manitoba Fisheries Ltd. v. R. 81

Note 90

D. Property and Competing Rights

London Borough of Southwark v. Williams 91

Avon County Council v. Buscott and Others 94

Harrison v. Carswell 95

Note 104

II. ADVERSE POSSESSION

Callahan: Adverse Possession 106

Limitations Act 116

Re St. Clair Beach Estates Ltd. and MacDonald 118

Re Lundrigans Ltd. and Prosper et al. 124

Wallis's Cayton Bay Holiday Camp v. Shell-Mex 126

Buckinghamshire County Council v. Moran 138

Masidon Investments v. Ham 146

Beaudoin v. Aubin 156

Note 163

III. LAND: THE ESTATE SYSTEM

A. Fee Simple Estates

R. Scane, History of the Estate System 164

Laskin, Cases and Notes on Land Law 170

Conveyancing and Law of Property Act 171

1. Defeasible Fees

Eastern Trust Co. v. McTague 172

2. Defeasible Fees and Public Policy

Re Drummond Wren 181

Re Noble and Wolf 185

Conveyancing and Law of Property Act 194

Canadian Charter ofRights and Freedoms, 1982, ss. 15, 32 195

Blathwayt v. Baron Crawley 196

Re Leonard Foundation Trust 201

3. Defeasible Fees and Uncertainty

Sifton v. Sifton 232

Clayton v. Ramsden 242

Re Noble and Wolf 248

Blathwayt v. Baron Crawley 253

4. Defeasible Rees and Restraints on Alienation

Blackburn v. McCallum 255

Re Noble and Wolf 258

Laurin v. Iron Ore Co. of Canada 259

Stevens v. Gulf Oil Canada Ltd. 268

B. Fee Tail Estates

R. Scane: The Estate in Fee Tail 274

C. Life Estates

R. Scane: Life Estates 277

R. Scane: Competition Between Interests 281

IV. CONCURRENT INTERESTS

A. Introduction

Conveyancing and Law of Property Act, ss.13, 14, 41, 42 284

Re Dupont 285

Succession Law Reform Act, ss. 55, 56 289

B. Severance of Joint Tenancies

Re Murdoch and Barry 290

Burgess v. Rawnsley 296

Note 302

C. Relationships Between Co-owners

Henderson v. Eason 303

Judicature Act s.139 304

Leigh v. Dickson 305

D. Partition

Partition Act, ss. 2, 3, 5 307

Mastron v. Cotton 308

Note 309

Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/propertyintroduc01wein_2